

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/24/2009 has been entered.

Response to Arguments

Applicant's arguments filed 7/24/2009 have been fully considered but they are not persuasive.

Applicant argues on pg. 8 that Specifically, Baek fails to teach or suggest that the remote data processing and storage device is configured to select sharing models to be used separately or simultaneously by the remote data processing and storage device to manage and enforce the collaborative concurrent use of at least one data exchange infrastructure device.

Examiner respectfully disagrees.

Baek discloses the disputed limitation in paragraphs 0056-0058, where the sharing models are defined as security levels that are selectively assigned to manage a collaboration session.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim1-12, 64-67, and 69-71 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Consider claims 1 and 64, the limitation, as claimed "said remote data processing and storage device is configured to determine whether said data exchange infrastructure device is configured for individual use by said remote data processing and storage device or collaborative concurrent use by multiple remote data processing and storage devices", does not have support in the applicant's original specification. At least paragraphs [0010] and [0104] do not support the claimed limitation. Therefore, such a limitation constitutes new matter. Appropriate corrections are required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-9, 11-12, 64-67, 69, and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nowlin et al. (USPN 2003/0092437)** and further in view of **Back et al. (USPN 2004/0024890)**.

Consider **claim 1**, Nowlin discloses a remote data processing and storage device for wireless, two-way data transfer communication with one or more data exchange infrastructure devices comprising; a housing; a power supply disposed within said housing; a microprocessor in electrical communication with said power supply and

disposed within said housing; a data memory storage unit in electrical communication with said power supply and disposed within said housing; a transmitter and receiver assembly in electrical communication with said microprocessor and said power supply, said transmitter and receiver assembly being disposed within said housing for electronic wireless communication with one or more data exchange infrastructure devices; and a virtual interface preprogrammed in said microprocessor with a protocol for seeking, detecting and establishing two-way data exchange communication with at least one data exchange infrastructure device (see figs. 2,3,5; [0021,0022;0030-0033;0041-0043]).

However, Nowlin does not explicitly disclose at least one data exchange infrastructure device is selectively configured for individual use by said remote data processing and storage device or for collaborative concurrent use by multiple remote data processing and storage devices.

In the related field of endeavor, Back discloses at least one data exchange infrastructure device is selectively configured for individual use by said remote data processing and storage device or for collaborative concurrent use by multiple remote data processing and storage devices (see [0040;0049;0052;0056]; figs. 3-9 and associated text, where sharing of a display and an application on a mobile terminal is made possible to a remote mobile terminal concurrently, and thus a collaborative concurrent use is selectively configured). Baek further discloses said remote data processing and storage device is configured to determine whether said data exchange infrastructure device is configured for individual use by said remote data processing and

storage device or collaborative concurrent use by multiple remote data processing and storage devices, and said remote data processing and storage device is configured to select sharing models to be used separately or simultaneously by said remote data processing and storage device to manage and enforce said collaborative concurrent use of at least one data exchange infrastructure device (see [0056-0058]; where the sharing models are defined as security levels that are selectively assigned to manage a collaboration session).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Nowlin with the teachings of Back in order to provide a remote user terminal with sharing control of another terminal's application and display (see [0005-0008]).

Consider **claim 6** as applied to respective claims, Nowlin discloses remote data processing and storage device is configured for operation in an environment including two or more remote data processing and storage devices (see figs. 3a-e).

Consider **claim 7** as applied to respective claims, Nowlin discloses remote data processing and storage device is configured to accept signals from multiple data exchange infrastructure devices (see figs. 3a-e; [0043]).

Consider **claim 12** as applied to respective claims, Nowlin discloses said transmitter and receiver assembly is configured for operation within variable, predetermined ranges.

Consider **claim 64**, Nowlin discloses a computer program, comprising a computer usable medium having a computer readable program code embodied on a

remote computing device, said computer-readable program code adapted to be executed to implement a method for interfacing remote computing devices with data exchange infrastructure devices, the method comprising: preprogramming a virtual interface protocol announcing the presence of one or more data exchange infrastructure devices; detecting said announcing protocol; and establishing two-way data exchange communication with said at least one of said one or more data exchange infrastructure devices (see figs. 2,3,5; [0021,0022;0030-0033;0041-0043]). In addition, Nowlin discloses providing a system for wireless data exchange using at least one remote computing device, wherein the remote computing device comprises distinct computer modules, and wherein the distinct computer modules comprise a microprocessor, a data memory storage unit, and a transmitter and receiver assembly; preprogramming a virtual interface protocol in the microprocessor for seeking an announcing protocol from one or more data exchange (see fig. 5 and associated text; [0042-0043]).

However, Nowlin does not explicitly disclose at least one data exchange infrastructure device is selectively configured for individual use by said remote data processing and storage device or for collaborative concurrent use by multiple remote data processing and storage devices.

In the related field of endeavor, Back discloses at least one data exchange infrastructure device is selectively configured for individual use by said remote data processing and storage device or for collaborative concurrent use by multiple remote data processing and storage devices (see [0040;0049;0052;0056]; figs. 3-9 and associated text, where sharing of a display and an application on a mobile terminal is

made possible to a remote mobile terminal concurrently, and thus a collaborative concurrent use is selectively configured). Baek further discloses said remote data processing and storage device is configured to determine whether said data exchange infrastructure device is configured for individual use by said remote data processing and storage device or collaborative concurrent use by multiple remote data processing and storage devices, and said remote data processing and storage device is configured to select sharing models to be used separately or simultaneously by said remote data processing and storage device to manage and enforce said collaborative concurrent use of at least one data exchange infrastructure device (see [0056-0058]; where the sharing models are defined as security levels that are selectively assigned to manage a collaboration session).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Nowlin with the teachings of Back in order to provide a remote user terminal with sharing control of another terminal's application and display (see [0005-0008]).

Consider **claims 2 and 65** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose a security arrangement to enhance data security.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses data security, encryption, and authentication.

Consider **claims 3 and 66** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose a data encrypting and decrypting arrangement.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses data security, encryption, and authentication.

Consider **claims 4 and 67** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose a data verification arrangement.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses data security, encryption, and authentication.

Consider **claim 5** as applied to respective claims, remote data processing and storage device is configured to reject any incoming connection and to thereby initiate all data connections for data exchange.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses data security, encryption, and authentication.

Consider **claim 8** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose remote data processing and storage device is configured to recognize predetermined data stream structures and encode the data stream for more efficient transmission.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses data security, encryption, encoding, and authentication.

Consider **claims 9 and 69** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose remote data processing and storage device interacts with a programmable channel in a data exchange infrastructure device to encode the data stream for more efficient transmission.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses a programmable channel.

Consider **claims 11 and 71** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose remote data processing and storage device is configured to insure that any received input information originated with an intended data exchange infrastructure device.

However, the Examiner takes Official Notice that it is notoriously well known in the art of wireless communications that Bluetooth discloses communicating data using slave and master identifiers to identify source data origination.

Claims 10 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nowlin et al. (USPN 2003/0092437)** and further in view of **Back et al. (USPN 2004/0024890)** and further in view of **Mangalik et al. (USPN 2004/0044774)**.

Consider **claims 10 and 70** as applied to respective claims, Nowlin discloses Bluetooth but does not explicitly disclose remote data processing and storage device is configured to define an execution environment to prevent access to any remote data

processing and storage device resources except the data exchange stream and a predetermined amount of storage space.

In the related field of endeavor, Mangalik discloses remote data processing and storage device is configured to define an execution environment to prevent access to any remote data processing and storage device resources except a data exchange stream and a predetermined amount of storage space (see abstract; figs. 3-10 and associated text).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Nowlin with the teachings of Mangalik in order to securely provide access to private information.

Conclusion

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Fayyaz Alam whose telephone number is (571) 270-1102. The Examiner can normally be reached on Monday-Friday from 9:30am to 7:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Fayyaz Alam

October 6, 2009

/Edward Urban/

Supervisory Patent Examiner, Art Unit 2618